

Memorandum



Date : OCTOBER 17, 2007

To : SLEDGE, DERRICK
P-43766
CORRECTIONAL TRAINING FACILITY

Subject : **SECOND LEVEL REVIEW**
CMC APPEAL LOG #E-07-1967

ACTION REQUESTED:

1. A FACT-FINDING AND ITS COPY CONCERNING THIS PRECISE MATTER AND CLAIMS BE ATTACHED, EVEN IF THE DECISION WAS BASED ON A PREVIOUS DECISION.
2. THIS MATTER BE ASSIGNED TO AN OUTSIDE IMPARTIAL INVESTIGATION AND YOU BE PROVIDED A COPY OF THAT DISCOVERY.

A review of your appeal dated August 4, 2007, has been completed. You state in your appeal that it is a citizen's complaint against Correctional Counselor II (CC-II) M. Vela, CMC Appeals Coordinator. You further state that this grievance should not be considered conjunctionally with any previously submitted Inmate Appeal. You contend CC-II Vela acted with deliberate indifference and prejudice, under the color of law, by abusing her authority in denying you, on several occasions, the ability to have your appeals addressed and reviewed. In one instance you claim CC-II Vela denied your personal property/inventory appeal, causing you to suffer. You contend she did this by rejecting your appeal on the grounds that you had to wait for a violation to occur before appealing. When you resubmitted your appeal it was rejected again, stating that you needed to attach documents, when the reviewer of the appeal would have to be the one to obtain the documents. After the third submission of your appeal, it was rejected because you had waited too late to file it. In another instance you claim CC-II Vela screened out your appeal in order not to reveal the corruption of her friends and co-workers. In still another instance you contend CC-II Vela rejected your appeal concerning the actions of the investigative employee assigned to you in a disciplinary matter because you had not attached certain documents. You claim in doing so CC-II Vela knew the difficulty you would have obtaining the documents because you were in administrative segregation. You contend when you diligently attached the documents and resubmitted your appeal, the disciplinary hearing had already been held, thereby allowing the investigative employee issue to remain concealed.

Your appeal was evaluated by a CMC Chief Deputy Warden on August 15, 2007, and determined not to meet the criteria to be investigated as a staff complaint. It was assigned for review as a regular appeal, categorized as a legal issue.

A. Ex. 252

SECOND LEVEL REVIEW

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L. Galle, Associate Governmental Program Analyst, interviewed you on October 1, 2007, regarding your appeal. You stated your appeals are being inappropriately screened out.

The rules of the Department governing the issue of your appeal are contained in the California Code of Regulations (CCR), Title 15, as follows:

3084.1. Right to Appeal.

(a) Any inmate or parolee under the department's jurisdiction may appeal any departmental decision, action, condition, or policy which they can demonstrate as having an adverse effect upon their welfare. The decisions of the Departmental Review Board which serve as the director's level decision, are not appealable and conclude the inmate's or parolee's departmental administrative remedy pursuant to section 3376.1.

3084.3. Screening Appeals.

(a) Appeals coordinator. Each institution head and parole region administrator shall designate an appeals coordinator, at a staff position level no less than correctional counselor II or parole agent II, who shall prior to acceptance for review screen and categorize each appeal originating in their area for compliance with these regulations, and shall coordinate the processing of appeals.

(b) Unclear appeal issue.

(1) When a group appeal is received, one or more of the participating inmates shall be interviewed to clarify the issue under appeal.

(2) When multiple appeals of the same issue are received, the original appellant and, as needed for clarification of issues, one or more of the other appellants shall be interviewed.

(3) When an appeal indicates the appellant has difficulty describing the problem in writing or has a primary language other than English, the appeals coordinator shall arrange an interview with the appellant to provide assistance in clarifying or completing the appeal.

(c) Rejection criteria. An appeal may be rejected for any of the following reasons:

(1) The action or decision being appealed is not within the jurisdiction of the department.

(2) The appeal duplicates the appellant's previous appeal upon which a decision has been rendered or is pending.

(3) The appeal concerns an anticipated action or decision.

(4) The appellant has not included evidence of attempt to resolve the grievance at the informal level, unless the informal level is waived by these regulations.

(5) The appeal is incomplete or necessary supporting documents are not attached.

A. Ex. 253

SECOND LEVEL REVIEW

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(6) Time limits for submitting the appeal are exceeded and the appellant had the opportunity to file within the prescribed time constraints.

(7) The appeal is filed on behalf of another inmate or parolee, except as provided in section 3084.2(f).

(8) The appeal constitutes an abuse of the appeal process pursuant to section 3084.4.

(d) Written rejection. When rejecting an appeal, the appeals coordinator shall complete an Appeals Screening Form, CDC Form 695 (rev. 5-83), explaining why the appeal is unacceptable. If rejection is based on improper documentation, the form shall provide clear instructions regarding further action the inmate must take to qualify the appeal for processing.

Review at the Second Level finds that you have not provided any of the appeals you claim were improperly screened-out by Appeals Coordinator Vela. Therefore, an examination of information obtained from the Inmate Appeals Tracking System (IATS) regarding your appeal submissions was performed.

According to this information, you have submitted 15 Inmate Appeals to the CMC Appeals Office since January 2007. Of these, six were accepted for review and the remaining nine were rejected for processing in accordance with CCR § 3084.3 and returned to you with a written notice why they were not acceptable. If additional information or clarification was needed in order to render a rejected appeal acceptable, you were given specific instructions to do this and then return your appeal for further screening. The Appeals Office does not retain copies of appeals that are rejected and returned to the appellant, with the exception of appeals alleging staff misconduct. Copies of the CDC Form 695, Appeals Screening Forms, accompanying many your appeals that were rejected by the Appeals Coordinator are being provided as examples of the reasons for those rejections. As can be seen from these exemplars, the CC-II Vela is adhering to Departmental inmate appeal procedures in screening your appeals. You have not been required to provide information that is either unnecessary or that is not within your ability to provide.

In summary, your contention that several your Inmate Appeals have been inappropriately rejected by CC-II Vela is not supported by any evidence or persuasive argument presented by you. You may disagree with a screening decision made by the Appeals Coordinator; however, you must abide by the decision unless you can satisfactorily demonstrate it was done in error.


A. Ex. 254

CMC Log#E-07-1967

Page Four

Your appeal is denied. Should you be dissatisfied with this appeal decision, you may, by following the instructions listed on your Inmate Appeal Form (CDC 602), request a Director's Level Review.

APPEAL DENIED

(u) 
JOHN MARSHALL
Warden
California Men's Colony

cc: C-File, Appeals

ew

A. Ex. 255

State of California
 CDC FORM 695
 Screening For:
 CDC 602 Inmate/Parolee Appeals
 CDC 1824 Reasonable Modification or Accommodation Request

COPY

RE: Screening at the INFORMAL Level

January 29, 2007
~~October 17, 2007~~

Disciplinary Appeal
1st Screen-out
1-29-07

SLEDGE, P43766
 CTF

Log Number: CMC-E-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

A limit of one continuation page, front and back, may be attached to the appeal to describe the problem and action requested in sections A and B of the CDC Form 602. CCR 3084.2(a)(1). Remove unnecessary documents and resubmit.

Limit the pages to one (front and back) to explain Sections A and B of appeal. If appealing the 115 you will need to attach the entire final copy of the 115. If appealing retention in Ad-Seg then attach the ICC 128-G retaining you in Ad-Seg. Cannot request CDC justify to court of delay in your appeal conviction unless you have missed a deadline that you feel was the fault of CDC.

D. Engler/M. Vela
 CC-II Specialist
 California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

A. Ex. 256

State of California
 CDC FORM 695
 Screening For:
 CDC 602 Inmate/Parolee Appeals
 CDC 1824 Reasonable Modification or Accommodation Request

COPY

RE: Screening at the INFORMAL Level

February 6, 2007
 October 17, 2007

Disciplinary Appeal
 2nd Screen-out
 2/6/07

SLEDGE, P43766
 CTF

Log Number: CMC-E-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

You disciplinary appeal is incomplete. You must attach legible copies of all documents you received during the disciplinary process. For example: the completed CDC 115, Rule Violation Report, the laboratory report, the Mental Health Assessment Form, the completed CDC 115-A, Serious Rule Violation Report, the CDC 115, Investigative Employee report, supplemental reports for the CDC 115, the CDC 7219, Report of Injury, the complete CDC 837, Incident Report, and the CDC 1030, Confidential Information Disclosure Form.

If appealing the CDC 115, then you will need to attach the entire final copy of the 115. Request to be released to GP or transferred will need to be made on a separate appeal and also attaching latest copy of ICC 128-G.

D. Engler/M. Vela
 CC-II Specialist
 California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

A. Ex. 25

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

COPY

RE: Screening at the INFORMAL Level

~~February 26, 2007~~
~~October 17, 2007~~

Disciplinary Appeal
3rd SCREEN-OUT
2/26/07

SLEDGE, P43766
CTF

Log Number: CMC-E-
(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

You have submitted an appeal that duplicates a previous appeal upon which a decision has been rendered or is pending (CCR 3084.3(c)(2)).

It has come to the attention of the Appeals Office that this is a duplicate to appeal log # CMC-E-07-0398.

D. Engler/M. Vela
CC-II Specialist
California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

A. Ex. 258

State of California

CDC FORM 695

Screening For:

CDC 602 Inmate/Parolee Appeals

CDC 1824 Reasonable Modification or Accommodation Request

COPY

RE: Screening at the INFORMAL Level

FEBRUARY 28, 2007
~~October 17, 2007~~

Disciplinary Appeal

4th SCREEN-OUT
2/28/07

SLEDGE, P43766

CTF

Log Number: CMC-E-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

*You have submitted an appeal that duplicates a previous appeal upon which a decision has been rendered or is pending (CCR 3084.3(c)(2)).**All issues regarding the same CDC 115 need to be addressed in one appeal. You cannot pick and choose, at your discretion, what you want to appeal and submit multiple appeals when it concerns the same CDC 115.*

D. Engler/M. Vela

CC-II Specialist

California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVEA. Ex. ~~258~~ 259

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

COPY

RE: Screening at the INFORMAL Level

1ST SCREEN-OUT

Feb 13, 2007
~~October 17, 2007~~

PROPERTY

SLEDGE, P43766
CTF

Log Number: CMC-E-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

Your property appeal is incomplete. You must attach legible copies of all documents relative to ownership and loss/destruction of the property. For example: the Property Inventory Sheet, the CDC 143, Property Transfer Receipt, the cell search slip, and receipt(s).

Attach copy of Inmate Property Inventory Form you received from being re-housed in ASU. Return to the Appeals Office.

D. Engler/M. Vela
CC-II Specialist
California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

A. Ex. 260

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

COPY

RE: Screening at the INFORMAL Level

MARCH 8, 2007
~~OCTOBER 17, 2007~~

2nd SCREEN OUT

PROPERTY

SLEDGE, P43766
CTF

Log Number: CMC-E-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

There has been too great a TIME LAPSE between when the action or decision occurred and when you filed your appeal with no explanation of why you did not or could not file in a timely fashion. Time limits expired per CCR 3084.6(c). Therefore, if you would like to pursue this matter further, you must submit an explanation and supporting documentation explaining why you did not or could not file your appeal timely.

You claim you were rehoused in Ad-Seg on 12/13/06 and that your Etron Cassette AM/FM Player and \$75.00 ducats were not on the Property Inventory Form. The Appeals Office did not receive an appeal regarding this issue until 2/13/07.

D. Engler/M. Vela
CC-II Specialist
California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

A. Ex. 261

State of California
 CDC FORM 695
 Screening For:
 CDC 602 Inmate/Parolee Appeals
 CDC 1824 Reasonable Modification or Accommodation Request

COPY

3rd Screen out

RE: Screening at the INFORMAL Level

MARCH 20, 2007
~~OCTOBER 17, 2007~~

PROPERTY

SLEDGE, P43766
 CTF

Log Number: CMC-E-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

There has been too great a TIME LAPSE between when the action or decision occurred and when you filed your appeal with no explanation of why you did not or could not file in a timely fashion. Time limits expired per CCR 3084.6(c). Therefore, if you would like to pursue this matter further, you must submit an explanation and supporting documentation explaining why you did not or could not file your appeal timely.

The bottom line is that on 12/13/06, after reviewing your Property Inventory Form, you noticed that your radio and \$75.00 in ducats were not noted in the Inventory Form. You did not submit an appeal regarding this issue until 2/6/07--beyond time constraints.

D. Engler/M. Vela
 CC-II Specialist
 California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

A. Ex. 262

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

COPY

4th Screenout

RE: Screening at the FIRST Level

April 20, 2007
~~October 17, 2007~~

PROPERTY

SLEDGE, P43766
CTF

Log Number: CMC-E-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

There has been too great a TIME LAPSE between when the action or decision occurred and when you filed your appeal with no explanation of why you did not or could not file in a timely fashion. Time limits expired per CCR 3084.6(c). Therefore, if you would like to pursue this matter further, you must submit an explanation and supporting documentation explaining why you did not or could not file your appeal timely.

You signed your Property Inventory Form on 12/21/06 but the Appeals Office did not receive your appeal (dated 2/6/07) until 2/13/07. Since you exceeded time constraints to submit an appeal concerning this issue, this appeal cannot be accepted.

D. Engler/M. Vela
CC-II Specialist
California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

A. Ex. 263

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

COPY

RE: Screening at the INFORMAL Level

PROGRAM

MARCH 1, 2007
~~OCTOBER 17, 2007~~

SLEDGE, P43766
CTF

Log Number: CMC-E-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

Separate issue by submitting separate appeals regarding:

- access to property
- access to library
- legal material provided library
- access to religious programs
- access outside yard
- amount of food served
- denial of G.P. housing

Remember that you may only submit one non-emergency appeal per week.

D. Engler/M. Vela
CC-II Specialist
California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

A. Ex 264

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

COPY

RE: Screening at the FIRST Level

JUNE 29, 2007
~~October 17, 2007~~

Disciplinary Appeal
Screened out
6/29/07

SLEDGE, P43766
CTF

Log Number: CMC-E-
(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

The enclosed documents are being returned to you for the following reasons:

You have submitted an appeal that duplicates a previous appeal upon which a decision has been rendered or is pending (CCR 3084.3(c)(2)).

Duplicate issue to appeal log number CMC-E-07-0398 and beyond time constraints.

D. Engler/M. Vela
CC-II Specialist
California Men's Colony

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT - DO NOT REMOVE

A. Ex. 265

INMATE APPEALS BRANCH

1515 S Street, Sacramento, CA 95814
P.O. Box 942883
Sacramento, CA 94283-0001



December 20, 2007

SLEDGE, DERRICK, P43766
Correctional Training Facility
P.O. Box 686
Soledad, CA 93960

RE: IAB# 0714159 CMC-07-01967 LEGAL

Mr. SLEDGE:

The Inmate Appeals Branch, California Department of Corrections and Rehabilitation (CDCR) acts for the Director, Division of Adult Institutions, at the third level of appeal. The Branch examines and responds to inmate and parolee appeals that are submitted on a CDC Form 602, Inmate/Parolee Appeal Form, after the institution or parole region has responded at the Second Level of Appeal.

Institution and parole staff are available to assist you in obtaining additional copies of forms and documents required to submit an appeal. The inmate library offers resources and assistance to obtain general information regarding regulations, procedures, policies, and government agency addresses. Additionally, your assigned Counselor or Parole Agent, or the Appeals Coordinator can answer any questions you may have regarding the appeals process. The Inmate Appeals Branch appreciates your responsible use of the appeal system to address your grievance.

The Inmate Appeals Branch has received an appeal from you and has determined that it does not comply with the appeal procedures established in California Code of Regulations (CCR) Title 15, Article 8; and is being screened-out and returned to you pursuant to CCR 3084.3 for the following reason(s):

Your appeal is incomplete, please include the following supporting documentation:

- CDC Form 602, Inmate/Parolee Appeal Form (that correspond to S/O forms)

A handwritten signature in black ink, appearing to read "N. Grannis".

N. GRANNIS, Chief
Inmate Appeals Branch

****PERMANENT APPEAL ATTACHMENT-DO NOT REMOVE****

A. Ex. 266

From: I/m D. Sledge P-43766
CW-1341

JAN. 03, 2008

RECEIVED
JAN - 7 2008
CTF APPEALS

To: CTF/CMC-E Appeal Offices

Re: Instruction by the Director level concerning
602- IAB # 0714159 CMC-07-01967 hegn/p

Please could you assist me? When the Second level-Reviewer replied to the attached 602 (which I initially submitted to be process as a Citizen Complaint) this official replied only partially by just providing copies of screen-out forms alleging to been done by who the 602/Citizen Complaint was Against and not also providing the inmate Responses to these screen-out forms. Why not the I/m Responses?

Also this reviews only identified these screen-out form relationship to the 602 issues by writing that issue on the screening forms. However the Direct level wants the 602 related to these screening-out, being they came from CDCR. IATS even though the dates been alter (Please Review).

And to Allow this inmate Equal/Fair due process could the inmate responses to these screen-out also be provided? Allowing rebuttal coming from the same source "the IATS" discovery.

I've also noticed and complained priorly how my Responses to the screen-out be Removed such as with this 602 my Arguments why I believed this should been process as a Citizen Complaints are Removed and can be supported by how many times the Appeal Office: Stamp filed this 602?

A. Ex. 267

Memorandum

Date : January 12, 2008

To : Inmate Sledge P43766
C-1341

Subject : **THIRD LEVEL APPEAL LOG #07-01967**

This memorandum is to inform you that your appeal is being forwarded to the Inmate Appeals Branch in Sacramento for a Third Level Decision.

Appeals Office

A. Ex. 268

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS AND REHABILITATION
INMATE APPEALS BRANCH
P. O. BOX 942883
SACRAMENTO, CA 94283-0001

DIRECTOR'S LEVEL APPEAL DECISION

Date: **MAR 25 2008**

In re: Derrick Sledge, P43766
Correctional Training Facility
P.O. Box 686
Soledad, CA 93960

IAB Case No.: 0714159

Local Log No.: CMC-07-01967

This matter was reviewed on behalf of the Director of the California Department of Corrections and Rehabilitation (CDCR) by Appeals Examiner K. J. Allen. All submitted documentation and supporting arguments of the parties have been considered.

I APPELLANT'S ARGUMENT: It is the appellant's position that he was harassed and mistreated by the appeals coordinator at the California Men's Colony (CMC). The appellant states that Correctional Counselor II (CC-II) Vela acted with deliberate indifference and prejudice by abusing her authority in denying him, on several occasions, the ability to have his appeals addressed and reviewed. The appellant states the counselor consistently rejected and screened-out his appeals without cause. The appellant requests on appeal that this issue be processed as a staff complaint matter. And that an outside agency be assigned to conduct an investigation into the actions of CC-II Vela.

II SECOND LEVEL'S DECISION: The reviewer found that an appeal inquiry was conducted into the appellant's complaint pursuant to departmental policy. This included an examination of the Inmate Appeal Tracking System at the CMC regarding the appellant's appeal submission. The inquiry revealed that the appellant's contention that several of his appeals have been inappropriately rejected by CC-II Vela is not supported by any evidence or persuasive argument. The reviewer notes that the appellant may continue to disagree with a screening decision; however, he must abide by the decision unless he can satisfactorily demonstrate it was done in error. The appellant has failed to do this, and therefore, the appeal has been denied at the Second Level of Review.

III DIRECTOR'S LEVEL DECISION: Appeal is denied.

A. FINDINGS: Upon review of the documentation submitted, it is determined that the appellant's allegations have been reviewed and properly evaluated by administrative staff. An appeal inquiry was conducted by appropriate staff. The appeal was reviewed by the institutional hiring authority in accordance with Administrative Bulletin (AB) 05/03. A determination was made that the appeal did not meet the requirement for assignment as a staff complaint. The appeals examiner concurs with the institution in that the appellant's dissatisfaction with a decision made by the appeals coordinator does not rise to the level of staff misconduct. Furthermore, there is no evidence to support the appellant's claims that his appeals were incorrectly screened.

The appellant has failed to provide any new or compelling information that would warrant a modification of the decision reached by the institution. Therefore, no relief will be afforded the appellant at the Director's Level of Review.

B. BASIS FOR THE DECISION:

California Code of Regulations, Title 15, Section: 3004, 3084.1, 3084.3, 3391

AB 05/03: PROCESSING OF ADULT INMATE/PAROLEE APPEALS, CDC FORM 602, WHICH ALLEGE STAFF MISCONDUCT

C. ORDER: No changes or modifications are required by the institution.

A. Ex. 269

DERRICK SLEDGE, P43766
CASE NO. 0714159
PAGE 2

This decision exhausts the administrative remedy available to the appellant within CDCR.



N. GRANNIS, Chief
Inmate Appeals Branch

cc: Warden, CTF
Appeals Coordinator, CTF
Appeals Coordinator, CMC

A. Ex. 270

Exhibit Cover Page

Amended-(A), Exhibits (Ex.) Pages (Pgs.)

A. Ex. Pgs. 271 To 291

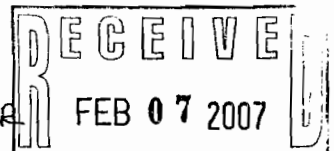
Additional Support To
Plaintiff Due Diligence
efforts To Obtain out-Side
Assistance In hopes to prevail
his Actual innocence.

We return your original letter 2/4/07
and any docs we received.

No copies kept.

DEAR PRISON LAW OFFICER

This is on A Different Matter



CMC-E Administrative Segregation Unit Policy ~~By don't allowed~~
the inmate to get any of their personal property of time I've been
in here since 12/13/06 Still waiting.

They have one officer Assign to 300 I/m and his limitation is
half a hand full. He Alone Read through each Item/Law material And
what he feel best He bring (half hand full) And if you get him mad
he can take whatever And say it was the initial inventory officers
and you be long transferee ect...

It also had and very difficulty to go to the Law library and the
material that they bring to the cell of little help.

I've on 1/25/2007 Been Denied my objection to the Federal
Court Central District Report and Recommendation And is in
great hopes if you got material and format that I could use to
file in the Federal Court Central District - A: Certificate of
Appealability COA; B, Appeal; C Extension for time (I under-
stand the max. is 60 days. And if not to much a format for
Rule 7. Expansion of Record (sect. 2254 criminal conviction)
OR/AND Using Facts Outside the Record Evid. C. Sect 452
OR/AND material was not introduced at trial Cal Rules of Ct.
33.5 (c) ? or Cal. Rules of Ct 476

Thank You So Much For Everything!!

Sincerely
Derrick Hledge.

A. Ex. 27.1

4860

RECEIVED

FEB 7 2007

Dear Internal Affairs - Central Region

I've rewritten my initial complaint, recently sent to your office IN use my current mental illness caused me to sound like I'm ending a follow-up letter.

Please understand I've written other Agencies: Prison Law Office; ALCI and Internal Affairs (SAC.); Inspector General and Prison Focus. I've so filed three CDC602-1, Being Retain in ASU (After 7 yrs disciplinary - ree / its Hardship) ect... 2, Inadequate Investigative Employee (IE) (action: unseal the true facts) ect... 3, Being Denied every CDC115-Hearing Right. ect

But still my Mental illness grows more serious upon each day. Its frightening experienced how one Correctional Officers % so easily Allowed to completely destroy my Life/Program knowing he's secure under CDCR Code of Silent Policy; with confidence Realizing nobody pays Attention to inmate % complaints, long as he alive. Which Mental abuse convincing me to give-up Seeking Justice. But I feared when I do m going to completely give-up on Life... Here my Story:

I, DERRICK L. Sledge P-43766 declare under penalty of perjury that the allegation of facts, witnesses, names and evidence refer, to staff Incident Report-IR ect... Set forth within this declaration is true and correct. Herefor request your assistance to help me obtain Justice / relief... ect from the emotional and psychological distress I'm held under

I've been falsely accuse by % DAVID BALKIND (Badge no. 69590) % being an actual fighter in C-Quad Riot 12/13/06; Incident log number CMC-E-06-12-0516. To Report he personal saw me % Sledge fighting % DAVID LUTZ - V-43875 (still no official has yet to confidentially question Lutz concerning us fighting) Regardless This allegation totally not true.

% BALKIND Alleged this while he stood in front of Bldg. 5 and we being across the yard in front of Bldg. 6. Even though 6 Counselors one A 83 %'s Schematic Report (Placed in this closely AREA) additionally ANOTHER % (STEPHENSON) Stating this long/high laundry art his vision. Plus a trash bin with walls. And with Tower % (FAREHART) Reporting SCATTER of %'s going that direction - All being directly in front of % BALKIND CAUSING his visibilities to be completely blocked.

This was no honest mistake by % BALKIND - By Reporting he saw me run toward tennis court - purposely using that area thinking I'll be officially Schematic founded knowing I spend all my daily activity at) Contrarily I was officially Schematic being on the basketball court that holds two 10ft fences - one to separate me

Rom tennis Court Area; the other separated me from the Fight Area with much distant. 94

% Balkind also falsely reported he saw us using both Right / left fists. Initially had staff been honest then to say I am being accused of fighting I could of forced the Warden / many Captains etc... to witness me possessing a new 8oz Folger's Coffee and a plastic bag of Liquid bleach and worn sweat with no pockets (Stig. chore did or had staff put ^{the} coffee with my cell property)

The true fact were not only didn't I fought anyone, but I even prevented my friend Byron Johnson P-51041 from fighting; After his peacemaker attempt failed caused him personally get hit from one of the angry group of white I/m. However they still allowed me to step between them to escort Johnson toward the Basketball Court; seconds later fights began.

Many inmates present saw what I'd done, but now afraid to come forth after witnessing staff dishonesty - to me (Accused placed in ASU (hardship); found guilty (no fair due process) losing all positive established program etc...) Not wanting this treatment to them. However behind close doors (staff) / Confidentiality (I/m) my innocence would be discovered.

Being there were primary officers % Barclay and % Stephenson by working Bldg. 6) Operated appropriate procedure to observe respond, stop with pepper spray and importantly secured. That has contradicted % Balkind entire Report. % Balkind was only a responder having the greater (traveling) and most complicating (seeing) role (through 830 I/m) which caused him being last arrived but still allowed to allege the most in his Report (Please review % Barclay % Stephenson too % Balkind about I/m Sledge / Lutz now review Yard % Baxstreser).

I were given one Investigative Employee IE - % Ellis overly worked conducting all 43 I/m investigation; interviewing over 100 people in two-day holding these interviews in the present of cellmate and Hallways of ASU caused each I/m be feared of their safety - so all remained silent (no commit).

In my case the CDC 115-Hearing Lt. S.R. Stinson allowed my Hearing to consist him initially stating, "I'm guilty because a % saw me," Denied every Hearing right. And finish by saying, "I don't like Appeal." Then fabricated entire Hearing Incident Reports convincingly show C-A official never believed I/m Folett, saying he had a seizure, still these official watched/waited allowing this white-group-up never recalling the Yard/Down so when they couldn't find the one Blk. they hit any Blk. Still CMC-E Official being racial-discriminating in not saying the Blk I/m's were only victim. We are prosecuted/penalized as suspects only please investigate

DARR-F-2 A. Ex. 273

Derrick S. Sledge

CALIFORNIA MENS COLONY STATE PRISON
P.O. BOX 8101
SAN LUIS OBISPO, CA 93409-8101

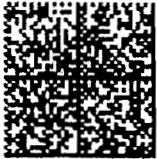
Name: DERRICK H. SHEDGE
CDC#: P-43766 CELL: 4186

**STATE PRISON
GENERATED MAIL**

Confidential
Mail

RECEIVED
FEB 7 2007
CENTRAL
BR

**CALIFORNIA MEN'S COLONY
STATE PRISON
SAN LUIS OBISPO CA 93409**



02 1A
0004632149 FEB05 2007
MAILED FROM ZIP CODE 93401

Internal Affairs
Central Region
5016 Calif. Ave. Suite 210
Bakersfield, Ca 93309
(Attn: 1 ~~88~~ 2 letters)

00000-60-40000

Category	Sub-category	Value
Agriculture	Food	100
	Non-food	100
Manufacturing	Food	100
	Non-food	100
Services	Food	100
	Non-food	100
Construction	Food	100
	Non-food	100
Retail	Food	100
	Non-food	100
Wholesale	Food	100
	Non-food	100
Transport	Food	100
	Non-food	100
Health	Food	100
	Non-food	100
Education	Food	100
	Non-food	100
Government	Food	100
	Non-food	100
Finance	Food	100
	Non-food	100
Energy	Food	100
	Non-food	100
Telecommunications	Food	100
	Non-food	100
Other	Food	100
	Non-food	100

A. Ex. 272-273

481A

RECEIVED

2/5/07

FEB 9, 2007

DEAR Internal Affairs Central Affairs (Letter 2 of 2)

By OIA-CENTRAL

In my case placement in CMC-E Administrative Segregation Unit (ASU) since 12/13/06 living condition ARE CRUEL AND UNUSUAL Punishment (Deprivation) WORST THAN SHU/Deathrow Program.

1) I've been deprived all once possess personal property:
 A, Addresses info. Contact family. B, Legal Material (8yrs. litigating 3- Strikes Conviction of 3 Prior Cases AND 1 Current = 18 issues; plus why I am not recidivist with 8yrs society justification / documents ect... C, IRS (tax debts / penalties interest still growing) D, U.S Dept. of Ed (Student Loan penalties still growing) E. Sealing My Juvenile Records F, 1/15/07 Denied in Central District (Report / Recommendation - objection no material for filing COP/Appeal ect... Daily gathering knowledge, for I lack much legal intelligence. - F, No Law Library (once in 6 wks) G. Bible Studies doing past 1yrs. Correspondence two different courses) H. Quest for higher ed. (GPL 7.2 to 8.6 ect...) Self Studying.

2) CMC-E / ASU Policy - It has one personal property officer for 300 I/m; His limitation half a hand full. I've put in 3x Requests. Keep stating mines get lost. Attn: He Alone Read through each Item to give you what he feel best. Can take whatever he wants - Reprisals for making him work / complaining. Then say it was the initial inventory staff. You what won't know until long after transfer.

3) ASU was the production of me being denied complete pre-Hearing hearing Rights (though existing evidence by staff favorable under two theory) Took only a second to say I'm guilty / Still unsatisfied desires I be transfer under fabricating reasons worst then the initial order.

4) ASU prolong my case now 2/22/07, my SHU complete before ICC has order it yet. Having no Mitigation factors though I entitle then all (7yrs no disciplinary). Now if I'm order transfer, must stay in ASU - taking another 2-4 months to go. But the ASU don't count all 10 days group-C

5) My Annual just past told I couldn't go no where (25yrs to life / Close-B-level-2) Though I requested then Donovan San Diego / CA.

6) Safety Concern - been denied reconsideration 3x - Removal of i-Suffix that's been illegal Applied (No Juvenile Court, Judge nor District Attorney Commitment / documentation) 27yrs. old matter - To have my points stay at 19 - though my commitment before this New points plus which I should of had -4 points. But now with 19 plus 10 (current incident) Level-3 but I've been level-2 for 4yrs. with no COCIS

7) Has worked my way down from Level 4 Close-A (CSP/SAFE) 180 Program. Took me 2 yrs to get a Job - been working 7 yrs with no ETO/Now CIC

8) Since 12/13/06 in ASU under mental medication/over weight but has not been allowed out-door exercise/Activity having me even more depress/stress

9) SHU/Deathrow you are still allowed T.V/Radio not here

All because one Officer thought it would be a smart move to lie on me (over 80 witnesses) and a out-side that don't care as long I'm alive!! All in hopes it get him a stg Requested Post Position (due to his job change was coming-up)

All under the Authority of Dept. of Correction & Rehabilitation...

How many more? before its stop?

Sincerely
Derrick H. Sledge

A. Ex. 275

CALIFORNIA MEN'S COLONY STATE PRISON

P.O. BOX 8101

SAN LUIS OBISPO, CA 93409-8101

Name: DERRICK H. BLEDSOE

CDC#: P43166 Cell: 4186

STATE PRISON

GENERATED MAIL

RECEIVED
FEB 9 2007

BY OIA-CENTRAL

Confidential
Mail

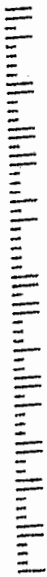
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CALIFORNIA MEN'S COLONY
STATE PRISON
SAN LUIS OBISPO CA 93409



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MAILED FROM ZIP CODE 93401

Internal Affairs
Central Region
5016 Calif. Ave Suite 210
Bakersfield, Ca 93309
(Attn: letter 2082)



A. Ex. 274-275

2/13/07

Dear Internal Affairs

RECEIVED
FEB 15 2007ENTERED
2/13/07

By OIA-CENTRAL

I AM A CLCMS inmate, re-housed in EMC-E ASU/SHU since 2/13/06. Which Correspondence Concerns "Suicide Prevention" for EMC-E Appeal Office 602 Screening with deliberate-indifference !!

1) 12/24/06, I submitted A CDC-602- for being retains in SHU After the initial 24 hours AND it being supportive to hardship condition (AS denied personal property to contact family/legal material etc...) This Appeal Office Rejected it, stating I need to first Attach the ICC 128g AND that I couldn't Appeal the personal property until After first being denied. (Again, the property issue supportive to the Hardship).

I tried explaining such Screening WAS deliberate indifference being A CMC-E Staff, knowing its going to take 30 days for me obtaining that ICC-128g, Which I presently suffer these Hardship Condition. Still the 602 wasn't process,

Upon the 30 days this Appeal was finally process. However I had already been found-guilty, given A SHU by ICC (which this Appeal add more then one mitigation factor, never consider by this ICC-SHU). Which SHU-term will be completed 2/22/07 before I received A mid level response due 3/13/07 (CMC-E-00220). And yet-2/13/07 haven't gotten my personal property-legal material for preparation now only with 16 days left on A 30 day time limitation for Filing A Certificate of Appealability.

2) I also submitted another 602-on my Assign Investigative employee (IE) on 1/12/07 (hoping it be Review before my Final CDC-115 hearing). But this Appeal Office Rejected it also. First stating "Attach the copy IE-Report", And couldn't Appeal the 115 until After the hearing. This Appeal Office stipulated the 115 hearing because in Sect. B I requested that All charges be dismissed. (but I only Requested for the pre-hearing procedure irregularities violation). So I Attached the IE Report and also ~~the IE Report~~, now I Attached the 4 pages Rewritten copy declaration (As Exhibit in hopes to show the different from my Requests from IE Report).

But on 1/29/07 the Appeal Office Rejected it again, stating now, "only a limit of one page". (for the 4 page declaration that stated Exhibit) Though the initial IE-602 possessed only one page. Still upon the removal of the one page Exhibit; On 2/16/07 the Appeal Office Reject it again stating now disciplinary Appeal is incomplete- Attach CDC-115, mental health Assessment 5-A, IE Report, 7219, CDC 837 AND CDC 1030 (All because I request dismissal of the 115). But gave it to my Counselor to explain to me.

A. Ex. 276

(But the entire 602 concerned my IE duties)

But not knowing yet my Counselor possess the IE-602 I
 on 11/29/07 submitted now my third 602, "For being found guilty
 illegally and attached the Final CDC-115 disposition copy to it. But
 again this Appeal Office Rejected this 602 also stating, "I need to
 attach the CDC-115 mental Health etc. 115 A IE-Report ~~and~~ everything
 as I've stated before. But also given it to my counselor to explain to
 me.

Upon trying to explain to my Counselor that both these 602
 was on two different issues & 11/2/07 was against the IE
 (which I'd attached the IE Report to it. And 11/29/07 was
 against the CDC-115 Final hearing disposition (which I'd attached
 the Final disposition copy to it).

In my case I've been Accuse of participation in a Riot
 with over 43 I/m's with documentation ~~and~~ total over 300
 pages. Which most of them pages don't concern me or any of my
 602 Appeal / case. Plus staff know inmates only allow one copy
 out there a copy in my C-file and one in the incident file for staff
 review.

Why prevent a inmate completely from obtaining any
 kind of impartial consideration being that this entire system is
 severely partial when it come to a inmate guilt factors, already
 housed in ASU.

is
 having the Appeal Office
 force me to send all my
 official documents / legal material
 in a unsealed envelope is
 customary to next claim the
 envelope became lost

Sincerely
 Werrick S. Sledge

A. Ex. 277



CALIFORNIA MEN'S COLONY
STATE PRISON
SAN LUIS OBISPO CA 93409

CALIFORNIA MEN'S COLONY STATE PRISON
P.O. BOX 8101
SAN LUIS OBISPO, CA 93409-8101

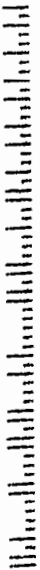
Name: Derrick L. Sledge
CDC#: P-43766 Cell: 4186

STATE PRISON
GENERATED MAIL

RECEIVED
FEB 15 2007
By OWA CENTRAL

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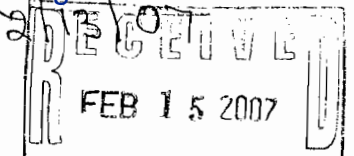
Internal Affairs
Central Region
5016 Calif. Ave. Suite 210
Bakersfield, Ca 93309



022009+1609-93 C040

A Ex. 276-277

We return your original letter
and any docs we received.
No copies kept.



DEAR PRISON LAW OFFICE

I AM A CCCMS inmate, Rehoused in CMC-E ASU/SHU since 12/13/06. Which correspondence concern "Suicide Prevention" for CMC-E Appeal Office 602 Screening with deliberate - indifference 1) 12/24/06 I submitted a CDC-602 - for being retain in ASU after the initial 24 hours AND it being supportive to hardship Condition (As denied personal property to contact family / legal Material ect..) This Appeal Office rejected it stating I need to first Attach the ICC 128g. And that I couldn't Appeal the personal property until after first being denied. (Again the property issue supportive to the Hardship).

I tried explaining such Screening was deliberate indifference being A CMC-E Staff knowing its going to take 30 days for me obtaining that ICC-128g; which I presently suffer these Hardship Condition. Still the 602 wasn't process.

Upon the 30 days this Appeal was finally process. However I had already been found-guilty given A SHU by ICC (which this Appeal had more then one mitigation factor, never consider) ^{Because} ~~the~~ ~~and~~ a 2nd level response due ^{ON} 3/13/07 (CMC-E-06220). And of yet 2/13/07 haven't gotten my personal property - legal Material for preparation now only with 16 days left on a 30 day time limitation for filing a Certificate of Appealability.

2) I Also submitted Another 602 - on my Assign Investigative employee (IE) on 1/12/07 (hoping it be Review before my Final CDC-115 Hearing). But this Appeal Office Rejected it also. First stating Attach the Copy IE - Report, and couldn't Appeal the 115 until after the hearing. This Appeal Office Stipulated the 115 Hearing because in sect. B I Requested that all charges be dismissed. (but I only request for this ^{because the} pre-hearing procedure irregularities violation). So I Attached the IE Report and ~~Request~~ ^{Also} ~~on~~ ~~now~~ I Attached my 4 pages Rewritten copy declaration (As A Exhibit in hopes to show the different from my Requests from ^{the} IE Report) But on 1/29/07 the Appeal Office rejected it again stating, now, Only A limit of one page. (For the 4 pages declaration that stated Exhibit) Though the initial IE-602 possessed only one page. Still upon the Removal of new 4 page Exhibit; On 2/16/07 the Appeal Office reject it again stating now, disciplinary Appeal is incompleated Attach CDC-115, mental health Assessment, 115-A, IE Report, 7219, CDC 837 AND CDC 1030

A. Ex. 278

[All because I request dismissal of the 115). But gave it to my Counselor to explain to me (though the entire 602 concerned my IE duties)

But not knowing yet my Counselor possess the IE-602 I in 1129/07 Submitted my Third-602 "For being found guilty illegally AND Attached the Final CDC-115 disposition copy to it. But again this Appeal Office rejected this 602 also stating I need to attach the CDC-115 Mental Health ect... 115 A, IE Report everything as I've stated before. But also given it to my Counselor to explain to me.

Upon trying to explain to my Counselor that both these 602 was on two different issues: 1112/07 was Against the IE (which I'd attached the IE Report to it) And 1129/07 was Against the CDC-115 Final Hearing disposition (which I'd attached the Final disposition Copy to it).

In my Case I've been Accuse of participation in a riot with over 437/m's with documentation total over 300 pages. Which most of them pages don't concern me or any of my 602 Appeal/case. Plus Staff know inmates only allow one copy but there a copy in my C-file and one in the incident file for Staff Review.

Why prevent a inmate completely from obtaining any kind of impartial consideration being that this entire system is severely partial when it comes to inmate guilt factors, plus already housed in ASU. !!

IS
Having the Appeal Office
force me to send all my
official Documents / Legal
Material - Customary to next
time the envelope became lost

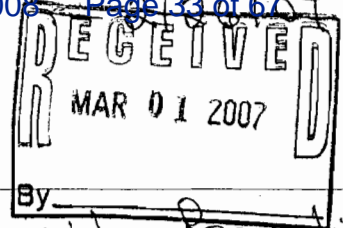
Sincerely
Derrick H. Sledge

A. Ex. 279

Adm

We return your original letter
and any docs we received.

No copies kept.



DEAR PRIC

Attn: Suicide Prevention

Please listen CMC-E Appeal Office is ^{acting} ~~being~~ with deliberate indifference - For not processing my 602 to cause long delays:

1) I had file a 602 first on my Assigned IE concerning my pre-hearing Procedural Irregularities which I was first order to attach ^{only} the IE Report to the 602 I had filed this 602 before I had my CDC-115 Hearing/disposition but because the Appeal Office kept rejecting it for two month, I had my 115 Hearing/disposition which then I filed a 602 directly concerning that issue.

Now because my Counselor was slow to make more copies than what I was given - that allow the 602 concerning the 115 Hearing/disposition become process filed before the IE-602 Now the Appeal office after all this time rejecting the IE-602 stating it's the same as the 115-602 which I specified not to address both same issue on both 602 ect...

Every 602 I submitted this Appeal Office Reject ect. to cause such a long delay that I have now already been found guilty and has completed the 4 month SHU and still the ~~the~~ first 602 won't to even answer upon it first response for another month.

I follow every instructions in your prison Law Book And still CMC-E Office has manipulated over

A. Ex 280

AROUND IT.

And please don't say write to Internal Affairs Inspector General, Obushman ect... Because I've don't with even shorter complaints - I believe CMC-E is not sending out my legal mail only to your office.

I have even gotten a print-out from the legal mailroom which don't even have none of my letter to you hog in

Not one of the 12 legal mail to them other Agencies Responded back

I've completed a 4 month SHU and still haven't been allow any of my personal property to either contact my family nor to ~~contin~~ continue my legal court due process. And 4month ago when tried to 602 this issue the Appeal Office reject it stating I have to wait until the ASU/SHU Property Office deny me. And the Property Office keep telling me my request get lost because they don't want to having to bring me many items I've Requested

Please Please Help us we ARE is not living And It's getting worst

P.S I'm not going to even put legal mail on the envelopes nor seal them any more. I believe

Sincerely

Derrick L Sledge

A. Ex. 281

they throwing my legal mail away of Prison's Advocates

We return your original letter
and any docs we received.

No copies kept.

VED

3/5/07

DEAR ~~AP~~ PRISON LAW OFFICE

By

You may make copies and do anything you feel
is appropriate and will assist me

I have enclosed a ~~re~~ rewritten copy 602 I
had initially submitted to have file and process; but
the Appeal Office screen it out rejected it. I
could not make a correct copy so I had to
rewrite what the form stated (word for word)
But I did rewritten another 602 and amend it to
be even more concerning the issue of my personal property
I had to send it in fast because I've already pass
my Court Deadline, but still haven't gotten none of
my property since 12/13/06. But now I'm leaving
the more 602 I file the more problems I'm having
now ~~my~~ ~~problem~~ property is missing; RTR did ^{not} have record of
property I came here with and bought ^{white} bring here
at Access and so much more problems

But upon ^{me} sending letter to both Internal
Affairs Office (SAC/~~central~~ central region) now ^{here} ~~official~~ ^{is}
is going to work something out with me concerning
them 602.

But I'm getting tired and behind in my
Conviction Appeal. Plus you know as I know they isn't
going to directly rule that he lied. Plus this Facility is
so dishonest and will make life even more difficult for
me. I could of ~~when~~ went back to General Population or
even D-Quad. They mad because I didn't stay silent

A. Ex. 282

Wernick & Sledge

US I'm afraid that if they resolve some of this for
me and I keep filing 602's they going to really make
life more difficult. I really don't know should I keep
fighting ?? or what. I'm close of getting relief on my 3 strike sentence

February 28, 2007

MAR 06 2007

Re: In response to your Protocol
 too pass my letter back to CMC-E
 Officials - That's concealing the Facts

Dear Office of Internal Affairs,

Please forgive me and my Attitude, because I do appreciate, your attempt, that may secretly force Officials here to now investigate them violations I've brought to your Attention - though they may never correct my case.

But I wrote directly to your Office, because just an inmate merely filing a CDC-602 doesn't work here regardless, which I thought your Office was AWARE of. I had already filed CDC-602s and knew the difficulties just causing me to get it filed/processed. I filed ^{the first} ~~one~~ back on 12/24/06, but it will not even be reviewed upon its initial level until 03/13/07 (CMC-E-07-00220). Which I've already been found guilty/sentence and completed its 4-months SHU-Team on 2/21/07 and still in the SHU!!

And still upon this day CMC-E Official has yet to justly ask David Lutz V-43875 did I truly fought him or to question to Byron Johnson P-51041 of a commendable conduct to know not only didn't I fought but I also prevented him from fighting after he got assaulted; or any of the 40 ect... inmate concerning my innocence conduct because it would contradictory show one of their Correctional Officer dishonesty/corrupt behavior (even when this matter could be manipulated into a honest mistake)

A. Ex. 283

But now because I did file a few GOA and written to many legal Agencies - I've been Retaliated / Reprisals Against & By still not getting any of my once possessed personal property - to still deprive me of contacting my family or to continue my legal pursuit and to argue sufficiently and timely to them next level; My Bible Education Studies ect., Still no out-side exercise program; I was only given one mitigating factor the same as many other - though I've been 7yrs perfectly disciplinary - free still I'm like all other having to completed the SHU - Term AND still being confine in this SHU under the same living condition. And with Counselor assistance my GOA of this matter become screen with deliberately difference by the GOA Appeal Office - prolonging and making it difficult severely with plans that everyone be transferred to prevent my spiritual innocence discovery.

This why I written directly to your Office - stipulating true name, witness and evidence of Facts (staff incident Report) ect., to at least conduct over the phone interview before CMC-E scatter every one

OR to at least discover that this one Black inmate that's being accused of starting this Riot is classified by CDCR/CMC-E (128g Chrono) being an Active Crip gangmember to participate only with other Rips; which I and many others that's been entrapped in this case I'm not even allowed to eat at his same table (being a Christian) But as cover-up this facility has label me with him. And with every other staff Incident Report (CMC-E-06-12-0516) stating witnessing "only" the whites inmate grouping-up for attacking - But with Prejudice discrimination this facility refuse to label us (me) as only a victim

Again Please Could your Agency / Office will investigate for discovery and not as here concealing here GOA of this case

Sincerely

g No CMC-E-07-00398

A. Ex. 284

Merrick Sledge

CALIFORNIA MENS COLONY STATE PRISON

P.O. BOX 8101

SAN LUIS OBISPO, CA 93409-8101

Name:

Derrick L Shedge

CDC#:

P-43766

CELL:

9288

**STATE PRISON
GENERATED MAIL**

Legal Mail

MAR 06 2007

CALIFORNIA MENS COLONY
STATE PRISON
SAN LUIS OBISPO CA 93409



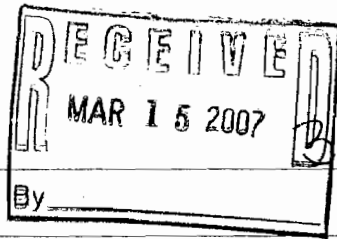
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MAR 01 2007
MAILED FROM ZIP CODE 93401

*Office of Internal Affairs
P.O. Box 3009
Sacramento, Calif 95812*

A. Ex. 283-284

We return your original letter
and any docs we received.

No copies kept.



DEAR PRISON 1

Each day that I stay housed in CMGE ASU/SHU when I've completed the SHU-Term week ago and it seeming to be legal. Convincing me there never been Prison due Process for Justice AND Relief, in which I blame Agency like yours. Instead of you bring to the public Attention of CDCR ^{dishonest} LAWS ^{AND} in this CASE. Everyone of you has been lying severely manipulating the public that it was some kind Justice for Prisoners in CDCR. There is NO Justice; At Any time A Officer CAN lie ON you - have you put in ASU just pending A Hearing; AND then CAUSE you to be completely denied pre hearing discovery; be totally excluded from the Final Hearing Process; given the same amount of SHU Term AS those that live with disciplinary problems though you ^{HAS} been disciplinary free for over 7 yrs continuously. Still you be allowed only the same amount of mitigating ^{AS them} FACTS for AN equal SHU-Term disposition. And even if it was some how Real that I had to be separate from A person ^{or} group that was allege to be on one yard why I could be allowed to go to Another yard AS D-yard. Why is it rule to make it legal to keep me house under the same condition AS the SHU program when I've complete the time.

And because I write to Agencies AS you I be denied ^{since 12/13/06} all of my personal property in ways that can not be proven it ^{because} ~~it's~~ only out of Reprisals Retaliation for filing 602 etc. which the Appeal Office purposely CAUSE it difficult ~~that~~ that then cause long delays for A investigation if

OVER

A. Ex. 285

ANY, that it result of not having ANY meaning.

To this day either the inmate I was falsely Accused ~~to be~~ fighting or the I/m I prevented from fighting has ~~be~~ been interviewed. None of my 602 ARE to be Answer for month today I get A notice concerning my first 602 back in Dec ~~24~~ because of some Kind of Complexities which 2nd Level was due 3/13/07 (log # CMC-07-~~8220~~ ⁸²²⁰) now not until April 19, 2007.

Another 602 because my counselor didn't make Copies soon enough the Appeal Office Reject the 602 that CONCERN pre-Hearing Irregularities Investigation by the IE that contains the serious issues but Accept the Final I/S Hearing Disposition which I filed afterward which didn't contain the IE violation

what I wrote to both Office of Internal Affairs all ~~what~~ they did was pass the same letter back to those Officer to find ways to cover-up all their mistake because if they was being of Justice they would had just interview the above inmates And Release me

Now some Items out my personal property is missing And Since RTR change from bed card to Computer I never knew until now which I hold no more proof I transfer here with A Brother 500 yrs Ago with no other documents but my then Transfer inventory Sheet. Which 602 is being Rejected Again for Appeal Office ~~hanging the screening sheet~~ It is so much more. That it has reach beyond Mental Abuse. I don't know how much I have left in my deterioration !!

Sincerely

A. Ex 286

Wernick & Sledal

MAY 01, 2007

DEAR Internal AFFAIRS
Central Region

(Follow-up letter)

5035

OIA-N

Please know I have also sent many such letter to your
brothers and sisters Agencies.

I know its a ~~must~~ ^{must} for inmates to first seek CDCR-602
reviews; Though it CAUSES (that inmate) me HARDSHIP living by
CDCR Retaliation. Even upon such Agencies had responded back
directly to the Facility. Only for me to witness You-All gives the
Actual Finding back to CDCR Custody; knowing they conduct
is Finding with pure prejudice. For its Code of Silent Policy!!

Again, I've been (purposely) falsely accused of fighting another
inmate in a staff Controlled Racial Riot, from an Officer whom
response and accusation of its entirety being severely contradictory
to the Real evidences and all other Officers Incident Reports
etc... To purposely confine me in ASU/SHU Isolation to suffer
knowing that facts would then be easily manipulated against me
more.... (To justify punishment already imposed).

I then WAS given Prejudice CDCR/CMCE Investigative
employee- (IE); Whom disregarded my precised rewritten
declaration. Directing Discovery pursued to my actual innocence; he
so illegally discarded it from the entire Proceeding and dishonestly
conducted each inmate interviews in the present of many Hostile
inmates living in ASU/SHU Prison Politics Condition - That forced
them to remain silent (for safety concerns). Which I submitted a
re-hearing IE Violation (my case-in-chief) 602. But through due
diligence and Officials errors theirs Appeal Office rejected to
process it.

Immediately given my Final HHS-Hearing; To be Completely denied
IE Violation Review - Conjunctionally - Allowing theirs Hearing
Official to denied my every Hearing Right ~~and~~ with prejudice
it to call witnesses; Address my Accuser nor to stipulate on Real
evidence ect... All initiated by him stating "since his Officer saw
me, then I'm guilty; Appeal It!!" I then submitted a Final Hearing
violation-602.

Their Appeal Office refused to process my crucial IE-602 saying
I should of had only submitted one disciplinary 602 (even though
they initially Accepted it before Comprehending its damages).
Corruptfully allowing their Hearing Official to Fabricate the
entire Hearing to alleged I'd waived Hearing Rights...

Now their Facility 602-Reviewer Ruled I've present no Contradex

evidence from their Hearing Official. Facts in support I've been legally founded guilty.

With these facts how could this world imagined that inmates are being allowed fair opportunities to prove their innocence or even allowed outside just Review?

Seeking CDCR Director level Review with sufficient evidence & my defense already established in the record being purposely never looked such as conducting a impartial interview with impartial documentation of these witnesses, or to impartial Review the File Incident Report - has left me no other choices but Attached now he Rejected IE Violation 602 and many Prior Returned Sealed Date letters I've sent to other outside legal Agencies (as Exhibit and I've Agree to a polygraph examination - All Substantial evidence established before I was given my Final HS Hearing.

But as a result of my fighting for Justices CMC-E officials Retaliated: I been deprived from all personal property from 12/13/06 to 4/21/07 unable to contact families or make Court legal Affairs Deadlines ect... deprived legal material; Fair Law library access; Religious activity; Completely no outside exercise even having my legal work Typewriter along with my Receipts and Official bedcard owner ship proof missing completely missing, AND he 602 be Reject after it was also initially accepted. Having over 3 yrs. of disciplinary free mitigating Factors, concealed in order that I would be Adverse Transferred - to a Facility that's going to take over 3yrs. for me to be allowed a Job to survive, after Ready over-coming CDCR initial 2yrs Job waiting list.

Though sufficient evidence support at worst I was AN victim of a group whom acted in self-defense - for Staff sealigences safety concerns for them, "To State Black Inmate Can't become Victims at CMC-E !!

I was lied on for this one officers would look good to be requested for a better Job post. A Customary practice !!.

Sincerely
Derrick L. Sledge
Derrick L. Sledge

RECEIVED
MAY 7 2007

By OIA-CENTRAL

RECEIVED

MAY 16 2007

CDCR
Office of Internal Affairs

A. Ex. 288

Dear Calif. Lifer Newsletter #16

RECEIVED

AUG 31 2007

page 14 (only);

BY:0

Briefly seeing your 07/2007 Article; Volume-3; Number-4; "I/m's Challenge Appeal Procedures In Complaints Against Staff." Appeals, "Screened-out (CSC 695)

This problem has become broader than realized. CMGE / CTF- Appeal Coordinators are consistently using this obstruction. First, by forcing I/m's to attach same legitimates copy documents (IIS-Reports; Classification Chronos; Copy Property Inventories Forms ect...) to the 602; even though these original documents are automatically log, stored in Staff Control Central Files for their access upon each interview. Sometime attaching a copy prevent staff from throwing the entire 602 in the trash to alleged its been lost. But as a whole causes relief to become severely delayed, until its useless having suffered so long for Justice.

CDCR in turn enforce its staff not to accept/honor (Favorable) documents presented from I/m's even when its the original such as (School/Work History Transcripts ect...). While easily over-looking, how corruptable staff can remove crucial document for I/m-impairment, later-on...

Property : Being rehoused (dishonestly) in ASU/SHU. Weeks later I was quickly order to sign-off on my (cell) property inventory receipt; Noticing items missing, I refused to sign-off but being promised personally to allow more time to relocate these items convinced me to sign-off or then become subject of all my property becoming missing. When I couldn't obtain my legal material ect... I submitted a Property-602- The Appeal Office initially accepted it, by ordering me to attach a copy of the inventory receipt, diligently getting my Counselor to make this copy, And resubmitting it, the Appeal Office then, "Screen-it-out"

PAGE-1

A. Ex. 289

Alleging A time elapsed of the initial filing limitation Diligently explaining justifiable Reasons was never considered NOR A Fact finding documented, purposely too impair me impartial Court Review...

Disciplinary: Conjectively diligent seeking out-side Assistance knowing CDCR-602 Procedures is corrupted. CMC-E Appeal Office using same trickery above, initially accepted my Investigative Employee (IE)- Violation 602 (my Case-in-Chief) Customarily informing me to Attach IE Copy Report. Diligently getting counselor to make this copy permitted the Final-HS Hearing to become completed And the Official to Fabricate the entire Hearing, "Falsifying I participated; I waived all Hearing Rights; And he didn't show initially prejudice ect... Forced me to submit now a Disposition-Violation 602; with the same process waiting to Attach Copies; Permitted This Appeal Coordinator whom was part of the IE-602 to screen-out this 602 after the facts saying, "I couldn't filed both type (IE / Final Disposition) 602 concerning the same case. And now saying I CAN NOT submit Citizen Complaints on none of the staff either. For more Court impairment Review!!

This corruption also proceeded to the ICC-Hearing (why CDCR don't Record these committees Hearing any more),

These Above violation ~~were~~ before the completion was even prophesied ~~diligently~~ to such Agencies AS: Prison Law Office; Prison Focus; Both Internal Affairs; Inspector General; even to Active Polictians; All whom stated I must seek Administration 602 Review At the same time the Above 602 was being, "Screen-out". Only allowing CDCR to conduct its own fact finding to Continue to cover-up these violation ect...

A. Ex 29C

All while being Retaliated Against, AS I witness how Scary the Above Agencies and more ARE Against CCOPA OR when the violation won't bring them publicity (Being I'm still Alive) OR granted A Colorful Law Suit they Reject being Prisoners Advocators - But Condoners with CDCR mental Abuse Procedures until Prisoners are Senior Citizen paralyzed with old-time weakness that impair their Advocacy for Just Due Process - CDCR Ultimate Goal !!

Please give me Assistance / Advocacy For Justice

Sincerely
Derrick L. Shedge

DERRICK L. Shedge P-43766
CTF / CW-134 L
P.O. Box 689
Soledad Calif. 93960.

P.S It would be nice if you
could see me a full copy of
That Case :
IN Re Cuellar
CA3 No. C055535 please

CDCR may have stop
forwarding my letters
now ?

A. Ex. 291

Exhibit Cover Page

Amended-(A), Exhibits (Ex.) Pages (Pgs)

A. Ex. Pgs. 292 To 311

Additional Responses To
Plaintiff Request For Out-side
legal Assistance into CMC-E
Code of Silent / Cover-up Policy

Prisoners' Rights Research Project

University of Illinois College of Law
504 East Pennsylvania Avenue
Champaign, IL 61820

Dear Sir or Madam:

Thank you for your inquiry to the Prisoners' Rights Research Project at the University of Illinois College of Law. PRRP is a non-profit organization staffed entirely by law students at the University of Illinois College of Law. Its members are not licensed attorneys, and cannot offer legal advice.

PRRP can provide legal research on specific questions of Illinois or federal law. If you would like the assistance of the PRRP please mail a letter with specific questions you would like addressed. Due to the volume of mail received, PRRP cannot answer all letters received. We apologize if we are unable to answer your questions. Please do not send documents to the PRRP. ~~We are unable to accept for review any legal documents or court transcripts.~~ We cannot assist in finding an attorney and cannot represent clients.

Law students at the PRRP will prepare a memorandum under the general supervision of a licensed attorney. The memorandum will represent their best effort to provide an objective analysis of the current state of Illinois or federal law on the issue or issues raised. It also may describe processes that appear to be relevant to your situation. It does not constitute legal advice, and you should not rely upon it as a basis for action. If you wish to pursue any legal action, you should seek the advice of an attorney.

Sincerely,

Prisoners' Rights Research Project

-A. Ex 292

LEGAL DEPARTMENT
NATIONAL PRISON
PROJECT



Dear Friend:

We know that prisoners have great difficulty getting help and regret that we cannot do more than provide you with a list of groups that try to help prisoners in your state, and some general information about the issue you described in your letter. The National Prison Project has only seven staff lawyers and receives about 600 letters each month from prisoners across the country. Any one of these letters can describe an urgent legal need that would take months of a lawyer's time to resolve. Because of our severely limited resources, we do not do advocacy for individual prisoners.

If you are thinking about filing a lawsuit, then you should know about a 1996 law called the Prison Litigation Reform Act (PLRA), which makes it harder for prisoners to file lawsuits in federal court. The PLRA has many parts, but the following five parts are the most important for you to understand.

First, before you file a lawsuit, you must try to resolve your complaint through the prison's grievance procedure. This usually requires that you give a written description of your complaint (often called a "grievance" or "kite") to a prison official. If the prison provides a second step (like letting you appeal the prison official's response to the warden), then you must also take that step. If you file a lawsuit in federal court before using every step of your prison's grievance procedure, it will almost certainly be dismissed.

Second, all prisoners must pay court filing fees. If you do not have the money up front, you can pay the filing fee over time through monthly installments from your prison commissary account, but the filing fee will not be waived.

Third, each lawsuit you file that is dismissed because a judge decides that it is frivolous, malicious, or does not state a proper claim counts as a "strike." After you get three strikes, you cannot file another lawsuit unless you pay the entire court filing fee up front. The only exception to this rule is if you are at risk of having serious physical injury in the immediate future.

Fourth, you cannot file a lawsuit seeking damages for mental or emotional injury unless you can also show physical injury.

Fifth, if you are in a federal prison, you risk losing good time credits

A. Ex. 293

AMERICAN CIVIL
LIBERTIES UNION FOUNDATION

PLEASE RESPOND TO:
NATIONAL PRISON PROJECT
915 15TH STREET, NW
7TH FLOOR
WASHINGTON, DC 20005-2112
T/202.393.4930
F/202.393.4931
WWW.ACLU.ORG

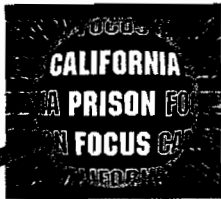
ELIZABETH ALEXANDER
DIRECTOR
ATTORNEY AT LAW

NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500

OFFICERS AND DIRECTORS
NADINE STROSSEN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

RICHARD ZACKS
TREASURER



California Prison Focus

2940 16th Street, Suite B5 • San Francisco, CA 94103

Phone: (415) 252-9211 • Fax: (415) 252-9311 • www.prisons.org

4/9/07

Dear Derrick Sledge,

I have your letter of 3/8. I can certainly agree that there is much corruption in the prison system and I feel, - think - that prisoners who live through the bad behavior without bitterness will have gained strengths that will serve us all well if not in this life, in the next. It must be very hard to endure with a good grace.

Unfortunately, I do not understand your letter entirely. I don't think we can do anything about your personal property. (I am enclosing a page from the Prisoners Handbook) but if you can get others to write about your denial of yard I would be willing to write to the warden.

I do not understand it when you say you are "suffer from stroke" - Nor do I

A. Ex. 295

understand what incident you are referring to - this office had ^{received} fax copies?

I sent a letter in June to Tyrone James because I thought he might be able to handle your questions better than I. so perhaps you sent papers to him? or did you send them to Charles Carbone? As you can see I am answering for him because I opened your letter by mistake, and because I know him to be overwhelmed with work I decided ~~to answer~~ he probably wouldn't ever get to answer it -

I must apologise if I am causing confusion.

Sincerely

Mary Ruback

P.S. C.P.F. is having to cut back on its correspondence. Please don't be surprised if you do not get a response to a letter.

A. Ex. ~~296~~ 296

Matthew L. Cate, Inspector General



Office of the Inspector General

April 19, 2007

Derrick Sledge, P-43766
 California Men's Colony
 P.O. Box 8101
 San Luis Obispo, CA 93409

Dear Mr. Sledge:

The Office of the Inspector General has received your correspondence.

As mentioned in our previous letter to you, before this office will consider taking any action, you must first demonstrate your attempts to obtain resolution to your issues by completing the formal administrative process, such as filing a staff misconduct complaint, CDC-602 Inmate/Parolee Appeal, or CDC-1824 Request for Reasonable Accommodation.

Upon completion of the formal process, if you believe the California Department of Corrections and Rehabilitation failed to appropriately address your concerns, you may choose to resubmit your complaint to this office. Include *copies* of the agency's formal response to your concerns, and your reasons for disagreement with that response. You must be as *clear* and *concise* as possible when providing the specific allegations and what action you are requesting this office to take. Do not send original documents, as we will not be able to return them. Upon review of your documents our office will assess what action, if any, we should take.

Please be aware that given the volume and complexity of the complaints we receive, it is not possible for us to fully research and intervene on each complaint we receive. Therefore, we attempt to focus our resources on issues where the greatest needs exist. We believe that in this way we can provide the greatest benefit to those who are affected.

Thank you for bringing your concerns to our attention.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Elizabeth Hawkins'.

ELIZBETH HAWKINS
 Deputy Inspector General

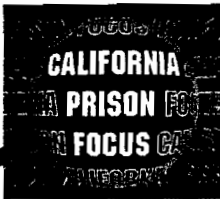
EH:sr:07-1184-03

 A handwritten signature in cursive script, appearing to read 'Arnold Schwarzenegger'.

Arnold Schwarzenegger, Governor

P.O. BOX 348780, SACRAMENTO, CALIFORNIA 95834-8780 PHONE (800) 700-5952 FAX (916) 928-5974

A. E. 2008 297



California Prison Focus

2940 16th Street, Suite B5 • San Francisco, CA 94103

Phone: (415) 252-9211 • Fax: (415) 252-9311 • www.prisons.org

5/03/07

Dear Derrick Sledge

I am enclosing pages from the California Prisoners Handbook. Whatever interpretation we put on the administration's and/or guards behavior there are certain courses of action to take and there is an attitude to it that will serve you well and another which will serve you poorly. I feel sure you know what I am talking about. If you can master the most natural of reactions - fury, resentment, bitterness and maintain equanimity they have not touched you and you remain undefeated, if not victorious! I sent you an article by a Fred Tanney about 3 years ago, remember? *

As far as the outer course of action, I am enclosing a sheet of information & I do not know anything about the riot except what you told me in February.

A. Ex. 298

not CPF business

We ~~are~~ quite unable to have the intimate knowledge of what is going on in the non SHU prisons. and you may in the future find that your letters to us are not answered. We know this is very regrettable but we do not have the resources.

Sincerely
Mary Rubach

I have just realised I wrote already!

A. Ex. ~~299~~ 299

OFFICE OF INTERNAL AFFAIRS

Headquarters Office
P.O. Box 3009
Sacramento, CA 95812



May 17, 2007

Mr. Derrick L. Sledge, P-43766
P.O. Box 689
Soledad, CA, 93960

Dear Mr. Sledge:

The California Department of Corrections and Rehabilitation (CDCR), Office of Internal Affairs (OIA) is in receipt of your correspondence dated May 1, 2007, requesting that OIA conduct an investigation into your allegations of staff misconduct at the California Men's Colony-East (CMC-E). You also are also complaining about the inmate appeal process at your former institution. Your complaint was originally received by the OIA-Central Regional Office.

Your allegations do not rise to the level of an investigation by this office. As such, our office is not able to pursue an investigation on your behalf. The issues you are complaining about should be addressed through the inmate appeal process. Additionally, all staff complaints also shall be filed through the inmate appeals coordinator. The appeals coordinator will forward all staff complaints to the hiring authority (warden) for review and determination. If the hiring authority deems that an investigation is warranted, the hiring authority will forward a request for investigation to OIA.

In accordance with the California Code of Regulations (CCR), Title 15, Section 3084.1(a), which states in part, *"Any inmate or parolee under the department's jurisdiction may appeal any departmental decision, action, condition, or policy, which they can demonstrate as having an adverse effect upon their welfare. The decisions of the Departmental Review Board, which serve as the director's level decision, are not appealable and conclude the inmate or parolee's departmental administrative remedy pursuant to section 3376.1."*

Please contact your appeals coordinator if you have any further questions regarding this matter. I am returning your original information back to you.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Wells".

WILLIAM WELLS
Special Agent
Office of Internal Affairs – Headquarters

Enclosures

A. Ex. 300

ROSEN, BIEN & GALVAN, LLP

ATTORNEYS AT LAW
POST OFFICE BOX 390
SAN FRANCISCO, CALIFORNIA 94104

May 21, 2007

CONFIDENTIAL - LEGAL MAIL

Derrick Sledge, P-43766, (CW-134L)
Correctional Training Facility
P.O. Box 689
Soledad, CA 93960

Re: *Coleman v. Schwarzenegger*
Our File No. 489-3

Dear Mr. Sledge:

Thank you for contacting us regarding your mental health care concerns. As you may know, we are one of the law firms representing prisoners in the class action lawsuit *Coleman v. Schwarzenegger*. The *Coleman* case was brought on behalf of inmates with serious mental illness. The court ordered the defendants, officials in charge of the California Department of Corrections and Rehabilitation (CDCR), to make extensive changes in their program for delivering mental health services. The court also appointed a special master to help develop plans to provide adequate mental health care and to monitor the defendant's compliance with those plans. If you are currently receiving or in need of mental health treatment at a CDCR institution, you are automatically a member of the *Coleman* plaintiff class.

The *Coleman* class currently includes more than 30,000 individuals. We are actively involved in litigating numerous issues in court on behalf of the class including adequate staffing for mental health treatment, severe overcrowding and its effects on the mental health care provided for inmates throughout the state, suicide prevention policies, and access to higher levels of care for inmates with serious mental illness. Because of the work required to ensure the best representation for this class, we must reallocate our use of resources in the *Coleman* case. Our focus at this time is working to achieve changes to improve mental health treatment for the class through litigation in court and negotiation with defendants, as well as to increase the amount of time we are able to spend visiting prisons. As a result, we will no longer be able to correspond as frequently or in as much detail with individual class members as we have in the past.

We encourage you to talk about your mental health concerns with your case manager and other members of your treatment team. We understand that accessing appropriate mental health care in the CDCR can be frustrating, but it is very important that you communicate with mental health staff at the institution so that they are aware of how you are doing and any problems that you may be experiencing. As class counsel, we are not able to influence decisions such as level of care and housing on an individual basis.

A. Ex. ~~300~~ 301



CONFIDENTIAL LEGAL MAIL

May 21, 2007

Page 2

In most cases, this form letter is the only response you will receive to the letter you wrote us. Reducing the number of individual letters we write to class members allows us more time to focus on the urgent mental health treatment issues that have arisen as the population in California prisons has reached record numbers. We regret that we must correspond in such an impersonal manner, and realize that this is a change for some of our class members. Please know that we read every single letter that we receive from class members, whether or not we are able to send back a personal response. We depend upon our class members for crucial information about what is going on inside the prisons, and the information you continue to provide to us through your letters is very useful in our efforts to enforce your constitutional right to mental health treatment in the CDCR.

If you have not previously received a copy of Frequently Asked Questions (FAQ) for the *Coleman* case, we are enclosing one with this letter. We have created this document in order to respond to many of the concerns raised by class members in letters to us, and think it provides information that will be helpful to you.

If you sent original documents to us, we are also returning them with this letter. We thank you for the information you have provided, and we wish you the best of luck.

Sincerely,

ROSEN, BIEN & GALVAN, LLP

By: Jane E. Kahn

JEK:kjs

A. Ex. ~~302~~ 302

Matthew L. Cate, Inspector General



Office of the Inspector General

May 25, 2007

Derrick Sledge, P-43766
California Training Facility
P.O. Box 686
Soledad, CA 93960

Dear Mr. Sledge:

The Office of the Inspector General has received your correspondence.

As mentioned in our earlier communication with you, the volume and complexity of the complaints received by the Office of the Inspector General prevent us from researching and responding to each complaint individually. We encourage you to pursue your concerns through available administrative remedies.


The Office of the Inspector General considers this matter closed. Thank you for bringing your concerns to our attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerry McClelland", is written over a horizontal line.

KERRY MCCLELLAND
Deputy Inspector General, Senior

KM:sr:07-0001184-04


Arnold Schwarzenegger, Governor

P.O. Box 348780, SACRAMENTO, CALIFORNIA 95834-8780 PHONE (800) 700-5952 FAX (916) 928-5974

A. Ex. ~~303~~ 303

SANDERS & ASSOCIATES

3960 INDUSTRIAL BLVD., STE. 100, WEST SACRAMENTO, CA. 95691 (916) 376-8738 FAX (916) 376-8717

June 2, 2007,

Mr. Sledge,

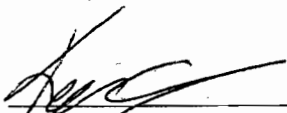
We are sorry for your current plight and don't doubt for a second the notion that this could have happened exactly as you explain. However, there is nothing our office can do.

Your case would require a level of investigation our firm simply could not provide. We would not be able to act in your bets interests so far from where intense investigation would need to be immediately conducted.

We recommend that you seek counsel near Soledad, and do not overlook local law schools which may take on such abuse as a class project in due process of law for their students. When you write them sell it. Provide proof if you can to entice them. Take your bets shot with that letter.

We are sorry and we do wish you luck fighting for your rights,.

Sincerely,



KEITH CHANDLER
LEGAL ASSISTANT TO STEVEN C. SANDERS, ESQ.

A. Ex. 304

CAPITOL OFFICE
STATE CAPITOL, ROOM 5108
SACRAMENTO, CA 95814
TEL (916) 651-4023
FAX (916) 324-4823

DISTRICT OFFICES
10951 WEST PICO BLVD., SUITE 202
LOS ANGELES, CA 90064
TEL (310) 441-9084
FAX (310) 441-0724

300 WEST THIRD ST., 4TH FLOOR
OXNARD, CA 93030
TEL (805) 486-3776
FAX (805) 486-6865

California State Senate

SENATOR
SHEILA JAMES KUEHL
TWENTY-THIRD SENATE DISTRICT
CHAIR
SENATE COMMITTEE ON HEALTH



COMMITTEES:
AGRICULTURE
APPROPRIATIONS
ENVIRONMENTAL QUALITY
JUDICIARY
LABOR & INDUSTRIAL RELATIONS
NATURAL RESOURCES & WATER
SELECT COMMITTEES:
CHAIR, HEALTH INSURANCE CRISIS
IN CALIFORNIA
CHAIR, SCHOOL SAFETY
JOINT COMMITTEE:
JOINT COMMITTEE ON RULES

June 27, 2007

Derrick L. Sledge P-43766
Soledad State Prison
P.O. Box 689; CW-134L
Soledad, CA 93960

Dear Mr. Sledge,

Thank you very much for your letter regarding the work incentive program for conservation camps. I share the concern addressed in your letter, and I continue to support the well-being of inmates in the California prisons.

As my office is not equipped to investigate and respond to your specific concerns, I have forwarded a copy of your letter to Ken Hurdle, the lead Ombudsman for the Department of Corrections, and I am requesting that he address your concerns regarding the Fire Safety rehabilitation program, as well as your personal case.

Please feel free to contact my office in the future.

Sincerely,

A handwritten signature in cursive script that reads "Sheila Kuehl".

SHEILA JAMES KUEHL
California State Senate
District 23

CC: Ken Hurdle, Ombudsman, Department of Corrections

Representing the cities of Agoura Hills, Beverly Hills, Calabasas, Hidden Hills, Malibu, Oxnard, Port Hueneme, Santa Monica, West Hollywood and Westlake Village and the communities of Bel Air, Brentwood, Canoga Park, Encino, Hollywood, Mt. Olympus, Port Hueneme, Pacific Palisades, Sherman Oaks, Studio City, Tarzana, Topanga, West Los Angeles, West Hills, Westwood and Woodland Hills.



A Ex. 7000 305

Lois Ahrens
Real Cost of Prisons Project
5 Warfield Place
Northampton, MA 01060

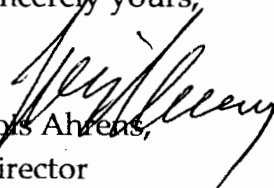
July 21, 2007

Dear Mr. Sledge,

We are in receipt of your letter sent to us on July 10th which you wrote on May 29th, 2007. Unfortunately, there is nothing that we can do to assist you in your protest against the treatment you have received and probably are still receiving.

Perhaps you might want to try: Prison Law Office, General Delivery, San Quentin, CA 94964. This is an independent organization that offers free legal services to prisoners on various matters including conditions of confinement.

Sincerely yours,


Lois Ahrens,
Director

A. Ex. ~~200~~ 306



A Project of Legal Services
For Prisoners with Children

All of Us or None
c/o Legal Services for Prisoners with Children
1540 Market Street, #490
San Francisco, CA 94102

415-255-7036 x337 // Fax: 415-552-3150
info@allofusornone.org
www.allofusornone.org

August 6, 2007

Mr. Derrick L. Sledge, #P-43766
CTF/Soledad State Prison
P.O. Box 689; CW-134L
Soledad, CA 93960

Dear Mr. Sledge:

We received your letter dated July 27th in which you requested legal assistance. It's good to hear from you. We are working on a system to be able to respond to all the letters we receive in a more timely manner. Thank you for your patience.

All of Us or None is a national organizing effort to strengthen the voices of formerly incarcerated people, prisoners, and our families that does not provide direct legal services and cannot assist you in this matter.

I am sorry for the mental anguish you've endured at the hands of the judicial system. I would encourage you to remain prayerful during these trying times of your life – for prayer changes things!

Enclosed is information on Legal Aid offices or Defender offices within the State of California. If you have questions, please do not hesitate to contact us again.

Solidarity and Struggle,

Tonya Gordon
All of Us or None

A. Ex. ~~308~~ 307

OFFICE OF INTERNAL AFFAIRS

Headquarters Office
P.O. Box 3009
Sacramento, CA 95812



August 7, 2007

Mr. Derrick Sledge, P-43766
P.O. Box 689
Soledad, CA, 93960

Dear Mr. Sledge:

The California Department of Corrections and Rehabilitation (CDCR), Office of Internal Affairs (OIA) is in receipt of your correspondence and supporting documentation regarding your complaint about the departmental inmate appeals process. Your complaint was initially received by the OIA Central Regional Office and was forwarded to OIA Headquarters for review and determination.

By sending your complaints directly to OIA you have circumvented the staff complaint and inmate appeal process. Per Administrative Bulletin (AB) 05-03, all inmate complaints which allege any misconduct by a staff member are to be logged by the Appeals Coordinator as a Staff Complaint. The Appeals Coordinator will forward the complaint to the hiring authority or designee for review. The hiring authority or designee will review the complaint and make the appropriate determination. If the hiring authority deems that the allegation warrants an internal affairs investigation, the hiring authority will refer the inmate allegation to the OIA for consideration. Even though you may disagree, the hiring authority makes the determination if a staff complaint by an inmate is investigated by OIA.

Inmate Sledge, you have chosen to circumvent the inmate appeals process and mail your correspondence directly to the OIA. Allowing you to file your complaint not utilizing established procedures would only encourage you, and possibly other inmates to circumvent the procedures as it relates to time constraints and appropriate filing of staff complaints. Inmate Sledge, your failure to follow instructions, or to abide by the California Code of Regulations (CCR), Title 15, Section 3084, does not give you permission to bypass the established appeal and/or staff complaint procedures. CCR Title 15, Section 3084 gives you the guidance necessary for filing appropriate appeals, as well as advises you of the time constraints and appropriate reasons for appeal screen outs. Pursuant to Penal Code Section 832.5, it is the policy of the Department, as an employer of peace officers, to have a procedure for investigating a complaint by a member of the public against its peace officers. You are not a member of the public. All inmate, ward, or parolee complaints against staff shall be processed in accordance with Departmental Operations Manual (DOM) Section 54100.

Please contact your appeals coordinator if you have any further questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "William Wells", is written over a horizontal line.

WILLIAM WELLS
Special Agent-In-Charge
Office of Internal Affairs – Headquarters

cc: Complaint File

A. Ex. ~~000~~ 308

OFFICE OF INTERNAL AFFAIRS

Headquarters Office
P.O. Box 3009
Sacramento, CA 95812



August 9, 2007

Mr. Derrick Sledge, P-43766
P.O. Box 689
Soledad, CA, 93960

Dear Mr. Sledge:

The California Department of Corrections and Rehabilitation (CDCR), Office of Internal Affairs (OIA) is in receipt of your correspondence and supporting documentation relative to a CDC Form 115, Rules Violation Report (RVR) you received dated December 13, 2006, for "Participation in a Riot". The incident occurred at the California Men's Colony (CMC). You allege that you were denied due process regarding your appeal of the matter. It is noted that you appealed the matter through the Director's level of review.

By sending your complaints directly to OIA you have circumvented the staff complaint and inmate appeal process. Per Administrative Bulletin (AB) 05-03, all inmate complaints which allege any misconduct by a staff member are to be logged by the Appeals Coordinator as a Staff Complaint. The Appeals Coordinator will forward the complaint to the hiring authority or designee for review. The hiring authority or designee will review the complaint and make the appropriate determination. If the hiring authority deems that the allegation warrants an internal affairs investigation, the hiring authority will refer the inmate allegation to the OIA for consideration. Even though you may disagree, the hiring authority makes the determination if a staff complaint by an inmate is investigated by OIA.

Inmate Sledge, you have chosen to circumvent the inmate appeals process and mail your correspondence directly to the OIA. Allowing you to file your complaint not utilizing established procedures would only encourage you, and possibly other inmates to circumvent the procedures as it relates to time constraints and appropriate filing of staff complaints. Inmate Sledge, your failure to follow instructions, or to abide by the California Code of Regulations (CCR), Title 15, Section 3084, does not give you permission to bypass the established appeal and/or staff complaint procedures. CCR Title 15, Section 3084 gives you the guidance necessary for filing appropriate appeals, as well as advises you of the time constraints and appropriate reasons for appeal screen outs. Pursuant to Penal Code Section 832.5, it is the policy of the Department, as an employer of peace officers, to have a procedure for investigating a complaint by a member of the public against its peace officers. You are not a member of the public. All inmate, ward, or parolee complaints against staff shall be processed in accordance with Departmental Operations Manual (DOM) Section 54100.

Additionally, your appeal of this issue was denied at the Director's Level of Review, which exhausts the administrative remedy available to you within the CDCR.

Please contact your appeals coordinator if you have any further questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "William Wells".

WILLIAM WELLS
Special Agent-In-Charge
Office of Internal Affairs -- Headquarters

cc: Complaint File

A. Ex. 200 309



Families Against Mandatory Minimums

LEGAL MAIL: PRIVILEGED AND CONFIDENTIAL

September 5, 2007

Mr. Derrick L. Sledge
P-43766
Soledad State Prison
PO Box 689 - CW-134L
Soledad, CA 93960

Dear Mr. Sledge:

Thank you for sending us information about your case.

Regrettably, FAMM is unable to provide you with the assistance you request. FAMM does not have attorneys on its staff that can provide legal advice or representation to individuals. Rather, our efforts are focused on changing sentencing laws and educating the public on the need for sentencing reform. FAMM's intervention in litigation is limited to a very small number of cases that challenge the interpretation of particular sentencing laws in the federal appellate courts and the United States Supreme Court. Other prison and criminal law issues are beyond the scope of our mission, even though they are undoubtedly important.

We have enclosed the pages of the exhibits which you sent to us and kept a copy of them for our file. We wish you success in finding the assistance you are seeking.

Sincerely,



Mary Price
Vice President and General Counsel

Enclosures

Matthew L. Cate, Inspector General



Office of the Inspector General

September 28, 2007

Derrick Sledge, P-43766
Correctional Training Facility
P.O. Box 689
Soledad, CA 93960

Dear Mr. Sledge:

The Office of the Inspector General has received your correspondence.

After reviewing your correspondence, we determined that the issues you raise could be more effectively addressed through a general approach rather than individually. Given the volume and complexity of the complaints we receive, it is not possible for us to fully research and respond separately to each complaint. Therefore, we attempt to focus our audit and investigative resources on issues where the greatest needs exist. We believe that in this way we can provide the greatest benefit to you and others who have been affected. If we conduct an audit or investigation of the issues you raise, you may be contacted later.


The Office of the Inspector General considers this matter closed. Thank you for bringing your concerns to our attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Kerry McClelland", is written over the printed name.

KERRY MCCLELLAND
Deputy Inspector General, Senior

KM:sr:07-0001184-07


Arnold Schwarzenegger, Governor

P.O. Box 348780, SACRAMENTO, CALIFORNIA 95834-8780 PHONE (800) 700-5952 FAX (916) 928-5974



A. Ex. 311

PROOF OF SERVICE BY MAIL
BY PERSON IN STATE CUSTODY
(C.C.P. §§ 1013(A), 2015,5)

I, Derrick Lee Sledge, declare:

I am over 18 years of age and I am party to this action. I am a resident of CORRECTIONAL TRAINING FACILITY prison, in the County of Monterrey, State of California. My prison address is:

Derrick L. Sledge, CDCR #: P-43766
CORRECTIONAL TRAINING FACILITY
P.O. BOX 689, CELL #: CW-134L
SOLEDAD, CA 93960-0689.

On June 01, 2008, I served the attached:

Motion For Leave To File An Amended
Complaint.

on the parties herein by placing true and correct copies thereof, enclosed in a sealed envelope (verified by prison staff), with postage thereon fully paid, in the United States Mail in a deposit box so provided at the above-named institution in which I am presently confined. The envelope was addressed as follows:

Office of the Clerk
U.S. District Court
North District of
Calif.
450 Golden Gate Ave
SAN FRANCISCO Ca 94102

3x Copies

Dept. of Justice
Office of the Attorney General
455 Golden Gate Ave
Suite 11000
SAN FRANCISCO, Ca 94102
ATTN: EDMUND G. BROWN JR.
AND/S/Kyle A Lewis
for defendants
1x copies

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 01, 2008.

Derrick L. Sledge
Derrick L. Sledge
Declarant

Derrick L. Sledge, P-43766
CTF/CW-134L
P.O. Box 689
Solidad, CA 93960-0689

Proh

RECEIVED

JUN 9 2008
RICHARD W. WIEK
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



Office of the CL
U.S. District Court
Northern District
San Francisco Div.
450 Golden Gate A
San Francisco CA.
Attn Part-1 of 2 or